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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named

Inventor : Stephen T. Kuehn et al.

Appln. No.: 10/784,674

Filed : February 23, 2004

For : MITRAL AND TRICUSPID VALVE REPAIR

Docket No.: S16.12-0135

Group Art Unit: 3731

Examiner: Julian W. Woo

ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER
IS BEING SENT BY U.S. MAIL, FIRST
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26 DAY OF July,
20 07.

Hallie A. Finucane
PATENT ATTORNEY

Sir:

This is in response to the Office Action dated June 26, 2007, in which the Examiner identified patentably distinct Species 1-7. Applicants note that Species 3 and 4 refer to the same embodiment, Species 3 being in a retracted position and Species 4 after deployment of the spikes 602, 606. Applicants elect to prosecute Species I corresponding to FIG. 20, with traverse.

Applicants elected claim 21 in the Response Restriction Requirement dated February 13, 2007. Claim 21 relates to a device comprising a catheter, a gripper, and a leaflet fastener applicator. Applicants traverse the Species Election since, even though independent claim 21 includes both the gripper and the leaflet fastener applicator, Applicants can choose only a gripper (Species 1-3), or a fastener applicator (Species 4-7). Applicant should be permitted to

choose at least one gripper and one leaflet fastener applicator.

Currently, at least claims 21 and 36 - 40 are readable on Species I (FIG. 20).

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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